

Remarks

1. Summary of the Office Action Mailed April 1, 2009

In the office action mailed April 1, 2009, with claims 18–53 pending, the Examiner:

- (i) objected to the specification under 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o) as failing to provide proper antecedent basis for the claimed subject matter;
- (ii) rejected claims 42–53 under 35 U.S.C. § 101 as being directed to non-statutory subject matter;
- (iii) rejected claims 18–21, 24–33, 36–45, and 48–53 under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 6,112,225 (Kraft) and U.S. Patent No. 6,463,457 (Armentrout); and
- (iv) rejected claims 22–23, 34–35, and 46–47 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kraft, Armentrout, and U.S. Patent No. 6,742,038.

2. The Pending Claims

Presently pending in this application are claims 18–22, 24–26, 28, 30–34, 36–38, and 40–41, of which claims 18 and 30 are independent. Claims 18–20, 22, 24–26, 28, 30–32, 36–38, and 40–41 are amended herein. Claims 23, 27, 29, 35, 39, and 42–53 are canceled.

3. Response to Examiner’s Rejections

a. Response to Objection Under 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o)

The Examiner objected to the specification under 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o) as failing to provide proper antecedent basis for the claimed subject matter.

Specifically, the Examiner asserts that the specification does not disclose a “computer program product operating within a server system.”

Claims 42–53 recited a computer program product. Applicant has canceled claims 42–53, and submits that this objection is moot in light of the cancellation.

b. Response to Rejection Under 35 U.S.C. § 101

The Examiner rejected claims 42–53 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has canceled claims 42–53, and submits that this rejection is moot in light of the cancellation.

c. Response to Rejection Under 35 U.S.C. § 103(a) as Being Obvious over the Combination of Kraft and Armentrout

The Examiner rejected claims 18–21, 24–33, 36–45, and 48–53, of which claims 18 and 30 are independent, under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kraft and Armentrout. Applicant has amended independent claims 18 and 30 and respectfully submits that these claims, as amended, are patentable over the combination of Kraft and Armentrout. Further, Applicant submits that dependent claims 19–22, 24–26, 28, 31–34, 36–38, and 40–41 are patentable over the combination of Kraft and Armentrout for at least the reason that these claims depend from allowable claims.

i. The Cited References

Kraft discloses a coordinating computer dividing an aggregate task into subtasks and distributing the subtasks to remote computers. A remote computer processes the subtask while the computer is idle, perhaps when a screen saver is activated. When a remote computer completes a subtask, it transmits the results back to the coordinating computer. The coordinating computer receives the aggregate task by, for example, an operator generating the task using the coordinating computer, manually copying the task into storage of the computer, or downloading the task onto the computer from a remote site.

Armentrout discloses a distributed computing platform using idle processing power of provider computers. A centralized task server (CTS) receives a task from a client computer, and assigns the task to one or more provider computers. The tasks are assigned based on characteristics of the provider computers—the client computer can specify the amount of computing power desired, the individual rating of computers that will execute the client's job, and how much memory and disk space will be necessary. The provider returns the results to the CTS, which returns the results to the client computer.

ii. Neither Kraft nor Armentrout disclose “providing to a massively parallel distributed network (MPDN) server pertinent information, wherein the pertinent information is at least one of (i) a type of the requesting device, and (ii) an identification of the requesting device”

Claim 18 recites “providing to a massively parallel distributed network (MPDN) server pertinent information, . . . wherein the pertinent information is at least one of (i) a type of the requesting device, and (ii) an identification of the requesting device.” Claim 30 recites “circuitry coupled to the MPDN server for receiving a data conversion workload and pertinent information, wherein the pertinent information is at least one of (i) a type of a requesting device, and (ii) an identification of the requesting device.” Neither Kraft nor Armentrout disclose providing or receiving pertinent information, wherein the pertinent information is a type and/or identification of the requesting device.

In contrast to providing or receiving a type of the requesting device and/or an identification of the requesting device, Kraft discloses that the coordinating computer receives the aggregate task by, for example, an operator generating the task using the coordinating computer, manually copying the task into storage of the computer, or downloading the task onto the computer from a remote site. Receiving the aggregate task by, e.g., downloading the task

from a remote website is not Applicant's claimed providing a type and/or identification of the requesting device because Kraft fails to disclose that *any* information regarding a requesting device, much less a type and/or identification of a requesting device, is passed to the coordinating computer.

Further, in contrast to providing or receiving a type of the requesting device and/or an identification of the requesting device, Armentrout discloses that a client computer can specify the amount of computing power desired, the individual rating of computers that will execute the client's job, and how much memory and disk space will be necessary. Again, specifying the computing power, individual ratings, memory, and disk space of the computer that will execute the client's job is not Applicant's claimed providing or receiving a type and/or identification of the requesting device because Armentrout fails to disclose that *any* information regarding a client computer, much less a type and/or identification of a client computer, is passed to the CTS.

For at least these reasons, Applicant respectfully submits that independent claims 18 and 30 are patentable over the combination of Kraft and Armentrout. Furthermore, claims 19–22, 24–26, and 28 depend from claim 18, and claims 31–34, 36–38, and 40–41 depend from claim 30. As such, Applicant respectfully submits that these claims are allowable for at least the reason that they depend from allowable claims.

d. Response to Remaining Rejections

Applicant submits that the remaining rejections are moot in light of the comments above regarding independent claims 18 and 30.

4. Conclusion

In light of the above amendments and remarks, Applicant submits that the present application is in condition for allowance and respectfully requests notice to this effect. The Examiner is requested to contact Applicant's representative below if any questions arise or if he may be of assistance to the Examiner.

Respectfully submitted,

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